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February 1, 2007

The Honorable Elaine L. Chao
 Secretary of Labor
 U.S. Department of Labor
 200 Constitution Avenue, NW
 Room S-2018
 Washington, DC 20210

Dear Secretary Chao:

It has been nearly eight months since the President signed into law the Mine Improvement and New Emergency Response Act of 2006. While the law is limited in its scope, I believe it is critical that it be implemented quickly and effectively.

However, I have concerns about your Department's progress in implementing the MINER Act. Listed below are three of the specific areas where MINER Act implementation has been too slow or uneven. Please respond to this letter in writing and describe what plans you have to accelerate and improve the law's implementation in these specific areas:

- By this time, all underground coal miners were to have available to them a specific number, based on the mine, of reliable self-contained self-rescuers to enable them to reach safety in an emergency, but they do not.
- By this time, all underground coal miners should be receiving advanced training in SCSR use during simulated mine evacuations, but they are not.
- By this time, all underground coal miners were to have available to them caches of breathable air should they become trapped, but mine operators have still not received any guidance from the Mine Safety and Health Administration about how much air is required.

February 1, 2007

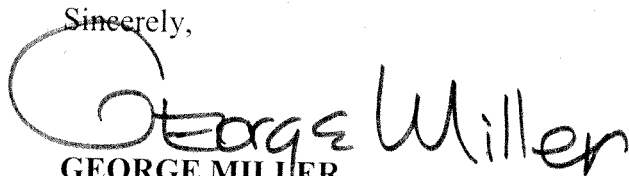
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These are not the only aspects of implementation about which I am concerned, and I will be following up with you in the future on other matters. But I think your progress in these three areas is a critical bellwether of your commitment to the law.

This year, the Education and Labor Committee is going to take a thorough look at mine safety and health in this country, including the need for additional policies, regulations or legislation. I hope you agree that we must do everything in our power to make sure that 2007 is not a repeat of 2006, which was a disastrous and tragic year for miners and their families.

I look forward to your prompt reply to this letter.

Sincerely,


GEORGE MILLER
Chairman